

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

_____	:	
FELIX S. ¹ et al.,	:	
	:	
Petitioner,	:	Civil Action No. 20-4269 (JMV)
	:	
v.	:	ORDER
	:	
THOMAS DECKER, et al.,	:	
	:	
Respondent.	:	
_____	:	

VAZQUEZ, District Judge:

Presently pending before the Court is Petitioner’s motion for temporary restraining order (“TRO”), immediate release, and/or order to show cause. D.E. No. 2. The Court reviewed all submissions and then held a teleconference with counsel on April 20, 2020. For the reasons set forth on the record on April 20, 2020, and for good cause shown,

IT IS on this 20th day of April, 2020,

ORDERED that the motion of the Petitioner Felix S. for a temporary restraining order D.E. 2, is **GRANTED**; and it is further

ORDERED that Petitioner Felix S. to be released subject to the following specific conditions; and it is further

¹ Petitioner is identified herein only by his first name and the first initials of his surnames in order to address certain privacy concerns associated with § 2241 immigration cases. This manner of identification comports with recommendations made by the Judicial Conference of the United States’ Committee on Court Administration and Case Management.

ORDERED that U.S. Immigration and Customs Enforcement (“ICE”) has 24-business hours to process this Court’s order and release Petitioner Felix S.; and it is further

ORDERED that Petitioner submit to telephonic monitoring as required by ICE²; and it is further

ORDERED that Petitioner is restricted to home confinement, but may leave his home for activities such as obtaining food and other necessities; obtaining medical and mental health treatment; and to the extent that Petitioner is authorized to lawfully work in the United States, to perform such work if their employment is deemed essential under the New York Governor’s order³; and it is further

ORDERED that Petitioner is ordered to comply with any court orders and to attend all court dates; and it is further

ORDERED that Petitioner comply with all other of ICE’s standard conditions of release; and it is further


ORDERED that Petitioners comply with all national, state, local and CDC-issued guidelines regarding COVID-19; and it is further

ORDERED that the Court will hear argument as to whether the TRO should be converted to a preliminary injunction on **May 6, 2020, at 2 p.m.** by teleconference. Respondent’s opposition shall be due by April 29, 2020; Petitioner’s reply shall be due by May 4, 2020. Counsel are ordered

² The Court does not order that Petitioner be subject to ATD electronic bracelet monitoring because Petitioner must undergo regular and necessary medical treatment during which he would have to remove the electronic bracelet.

³ Petitioner indicates that he will be residing in New York rather than New Jersey.

to meet and confer in good faith as to whether such argument is necessary.⁴



JOHN MICHAEL VAZQUEZ
United States District Judge

⁴ Nothing in this Order prevents the Respondents from seeking a modification if Respondents believe that changed circumstances require such a modification.